

#23

PATENT

Docket No. 39303.20031.00

Client Reference WY-381-USC (H6204)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Marco A. Jimenez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Satoru MOTOYAMA

Serial No.: 09/037,822

Filing Date: March 10, 1998

For: TEMPORARY STORAGE OF  
COMMUNICATIONS DATA

Examiner: S. Willett

Group Art Unit: 2152

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REQUEST FOR REFUND OF RCE FILING FEE

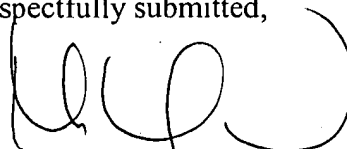
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

On December 12, 2000, the U.S. Patent and Trademark Office issued a non-final Office Action. Applicant understood the Office Action to be final, because the Examiner in the conclusion section of the Office Action (at page 4, paragraph 7) referred to the Office Action as "this final action." Accordingly, Applicant filed a Request For Continued Examination (RCE) with an amendment on June 12, 2001. The Examiner subsequently advised Applicant on July 11, 2001 that the RCE was not entered, but that he would accept the amendment filed with the RCE as a response to the Office Action of December 12, 2000.

Because the RCE was not entered, Applicant herewith requests a refund of the RCE basic filing fee of \$710.00. For your convenience, enclosed is a copy of the cancelled check. Please credit the refund to Deposit Account No. 03-1952. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Dated: December 10, 2001

By:

Mehran Arjomand  
Registration No. 48,231

Morrison & Foerster LLP  
555 West Fifth Street  
Suite 3500  
Los Angeles, California 90013-1024  
Telephone: (213) 892-5630  
Facsimile: (213) 892-5454

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MORRISON & FOERSTER LLP  
LOS ANGELES OFFICE  
555 W. FIFTH ST., SUITE 3500  
LOS ANGELES, CA 90012-1044  
213 892 5200

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TO THE  
ORDER OF

ASSISTANT COMMISSIONER FOR PATENTS

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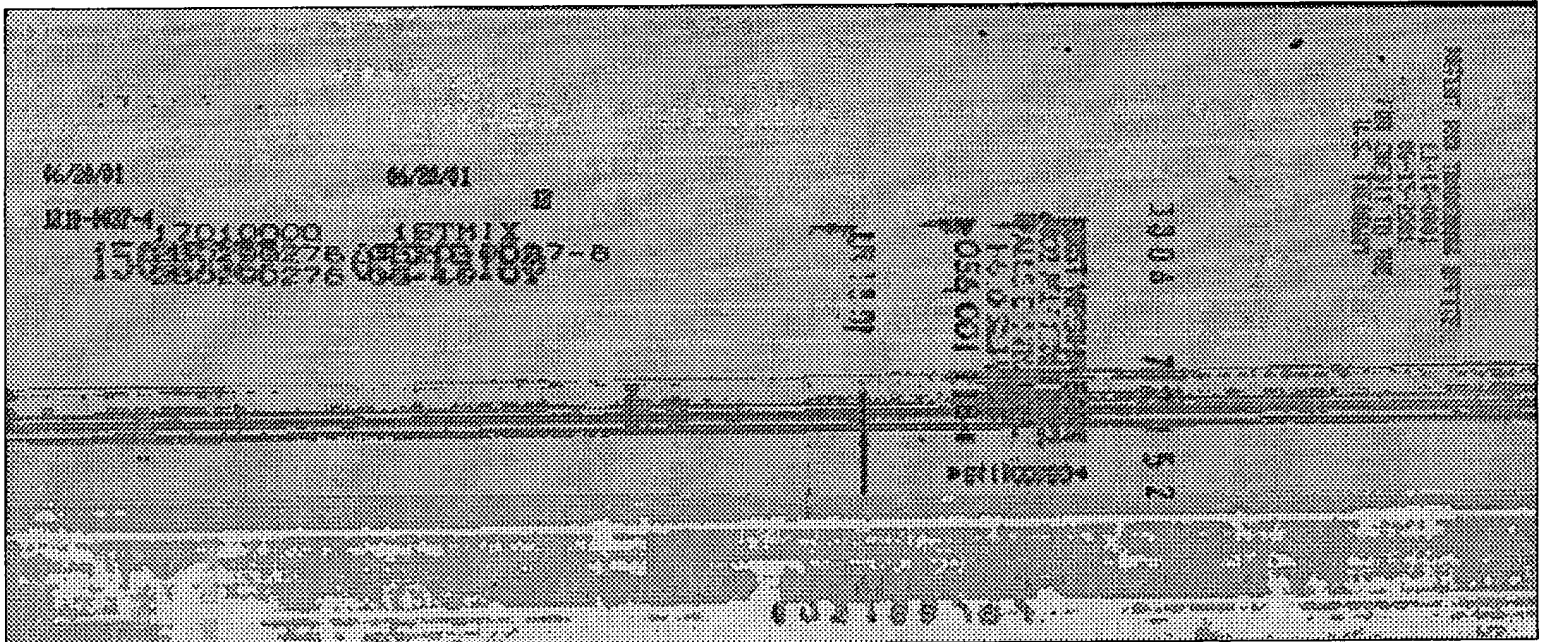
*Kathryn Johnstone*

WASHINGTON, DC 20231

FW

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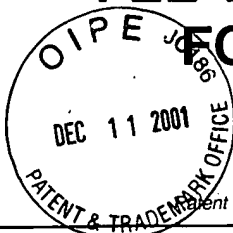
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Account Number	Serial Number	Dollar Amount	Item Status	Image Status	Issue Date
00007313601356	0005204655	\$2,320.00		Yes	/ /
Paid Date	CD Volume ID	Sequence Number			
06/20/2001	20010629058601	0560219180			

Additional  
Data

981400560219180

**FEE TRANSMITTAL  
FOR FY 2001**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/037,822
Filing Date	March 10, 1998
First Named Inventor	Satoru MOTOYAMA
Examiner Name	S. Willett
Group Art Unit	2152
Attorney Docket No.	393032003100

**TOTAL AMOUNT OF PAYMENT****(\$850.00)****METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number**03-1952**Deposit  
Account  
Name**Morrison & Foerster LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	150	214	75	Provisional filing fee	

**SUBTOTAL (1) (\$0)****2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims 0 - 0 =	7	x 18	= \$0
Independent Claims 0 - 0 =	0	x 84	= \$0
Multiple Dependent			= \$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claims, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) (\$0)**

\*\* or number previously paid, if greater; For reissues, see above.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	740
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)****(\$850.00)****SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)

**Mehran Arjomand**Registration No.  
(Attorney/Agent)**48,231**

Telephone

**(213) 892-5630**

Signature

Date

**December 10, 2001**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

la-536423